THE HONOURABLE SMT. JUSTICE T. MEENA KUMARI

AND

THE HONOURABLE SRI JUSTICE P. LAKSHMANA REDDY

WRIT APPEAL No.740 of 2000

JUDGMENT: (per Smt. T. Meena Kumari,J)

This writ appeal is filed by the Andhra Pradesh State Road Transport Corporation, aggrieved by the order of the learned single Judge dated 30.3.2000 in W.P.No.12746 of 1998.

The writ petition was filed by the respondent who was a displaced employee, seeking for a Writ of Mandamus declaring the proceedings No. L2/876(26)/96, RM/VJA, dt. 21.1.1998 issued by the Regional Manager, A.P.S.R.T.C., Vijayawada, as illegal, arbitrary and contrary to the judgment rendered in W.P. No. 5186 of 1987. The respondent also sought for a consequential direction to appoint him in any suitable post.

The learned single judge on a perusal of the records produced by the Corporation found that the Corporation had appointed some of the displaced employees in the alternative posts. He, therefore, felt that there was no justification for the Corporation in not appointing the respondent-writ petitioner in any suitable post. Therefore, the learned single judge while allowing the writ petition, directed the Corporation to appoint the respondent-writ petitioner in any alternative post within six weeks from the date of receipt of the said order. Hence, this appeal.

Heard the learned counsel for the appellants and perused the order under appeal.

There is no dispute that the respondent was a displaced employee consequent on the nationalization of the routes. There is also no dispute that the Corporation has formulated a scheme for absorption of such displaced employees. Though the respondent was selected for the post of driver, but he was found medically unfit for that post due to defective vision. Therefore, the respondent made a representation to the Corporation requesting it to consider his case for appointment in any alternative post. The said request was rejected by the Corporation on the ground that there is

no such provision. When the learned single judge had perused the records of the Corporation, it was found that the Corporation has appointed similarly situated persons in alternative posts and it refused to consider the case of the respondent for such appointment. In those circumstances, the learned single judge directed the appellant-Corporation to appoint the respondent in any alternative post.

We do not find any illegality or irregularity in the order of the learned single judge warranting interference. The writ appeal fails and the same shall accordingly stand dismissed. No costs.

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T. MEENA KUMARI,J

Date: 22nd July, 2005

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P. LAKSHMANA REDDY,J

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